



GREAT MINDS *Crawford Case Citations*

1. *Ohio v. Roberts* (1980) 448 U.S. 56
2. *Crawford v. Washington* (2004) 541 U.S. ___, 124 S.Ct. 1354
3. *California v. Green* (1970) 349 U.S. 149
4. *U.S. v. Owens* (1988) 484 U.S. 554
5. *People v. Price* (2004) 120 Cal.App.4th 224, 238
6. *People v. Warner* (2004) 119 Cal.App.4th 331, 345–346
7. *Horton v. Allen* (1st Cir. 2004) 370 F.3d 75, 83
8. *U.S. v. Manfre* (8th Cir. 2004) 368 F.3d 832, 838
9. *State v. Meeks* (Kan. 2004) 88 P.3d 789, 794–795
10. *U.S. v. Cherry* (10th Cir. 2000) 102 F.3d 1078
11. *U. S. v. Emery* (8th Cir. 1999) 186 F.3d 921
12. *People v. Sisavath* (2004) 118 Cal.App.4th 1396
13. *People v. Cage* (2004) 120 Cal.App.4th 770
14. *People v. Moscat* (2004) 777 N.Y.S.2d 875, 876
15. *People v. Cortes* (2004) WL 1258018
16. *People v. Adams* (2004) 16 Cal.Rptr.3d 237
17. *People v. Sisavath* (2004) 118 Cal.App.4th 1396
18. *Fowler v. Indiana* (2004) 809 N.E.2d 960
19. *U.S. v. Saget* (2d Cir. 2004) WL 1682772
20. *People v. Griffin* (2004) 33 Cal.4th 536, 579, fn. 19
21. *People v. Cervantes* (2004) 118 Cal.App.4th 162
22. *U.S. v. Lee* (8th Cir. 2004) 374 F.3d 637, 643
23. *U.S. v. Saner* (2004) 313 F.Supp.3d 896, 898
24. Evidence Code section 1350—Unavailable declarant; hearsay rule
25. Rule 804(b)(6) of the Federal Rules of Evidence— Forfeiture by wrongdoing
26. Three formulations of testimonial in *Crawford*, p. 1364:

- a. "ex parte in-court testimony or its functional equivalent—that is, material such as affidavits, custodial examinations, prior testimony that the defendant was unable to cross-examine, or similar pretrial statements that declarants would reasonably expect to be used prosecutorially" (Brief for Petitioner 23);
- b. "extrajudicial statements . . . contained in formalized testimonial materials, such as affidavits, depositions, prior testimony, or confessions" (*White v. Illinois* (1992) 502 U.S. 346, 365, 116 L.Ed.2d 848, 112 S.Ct. 736) (Thomas, J., joined by Scalia, J., concurring in part and concurring in judgment);
- c. "statements that were made under circumstances which would lead an objective witness reasonably to believe that the statement would be available for use at a later trial" (Brief for National Association of Criminal Defense Lawyers et al. as *Amici Curiae* 3).

The subsequent histories of all cases referred to in the broadcast should be checked before relying on the case.